

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

ANTHONY T. ALSTON

CRIMINAL ACTION

No. 04-515

ORDER

AND NOW, this 30th day of July, 2010, for the reasons stated in the accompanying opinion, it is hereby **ORDERED** as follows:

(1) Defendant's letter request to waive the payment of interest and change his restitution repayment schedule (contained in Docket No. 97) is **GRANTED IN PART** and **DENIED IN PART**. Specifically, the request is granted to the extent that defendant seeks a determination that interest payments on his fine be waived – and waiver is so **ORDERED** – and the request is denied without prejudice to the extent that defendant seeks to change his schedule of restitution payments;

(2) The government shall, no later than August 10, 2010, file a further response to defendant's motion for the return of property (Docket No. 94) setting out evidence to show that, under the standards enunciated by governing case law, (a) Alston is not entitled to the return of the specified property, and/or (b) the government does not possess, directly or constructively, the property; and

(3) Defendant shall file a reply brief in support of his motion no later than August 25, 2010.

BY THE COURT:

/s/Louis H. Pollak
Pollak, J.